

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MALCOLM MADISON,

Plaintiff,

-against-

METROPOLITAN TRANSPORTATION
AUTHORITY,

Defendant.

20-CV-11137 (CM)

ORDER DIRECTING ORIGINAL
SIGNATURE AND UPDATED IFP
APPLICATION

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff, who proceeds *pro se*, submitted the complaint without a signature. Rule 11(a) of the Federal Rules of Civil Procedure provides that “[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney’s name – or by a party personally if the party is unrepresented.” *See also* Local Civil Rule 11.1(a). The Supreme Court has interpreted Rule 11(a) to require “as it did in John Hancock’s day, a name handwritten (or a mark handplaced).” *Becker v. Montgomery*, 532 U.S. 757, 764 (2001). Plaintiff is therefore directed to sign the signature page of the complaint and resubmit it to the Court within thirty days of the date of this order. A copy of the signature page is attached to this order.

In addition, Plaintiff submitted an *in forma pauperis* (IFP) application with his complaint, but he did not answer all of the questions on the application. The Court therefore directs Plaintiff to submit an amended IFP application and file it with the Court within thirty days of the date of this order. An amended IFP application, which Plaintiff must fully complete and sign before returning, is attached to this order. In the alternative, Plaintiff can pay the \$402.00 in fees required to commence this action.¹

¹ The \$402.00 in fees includes a \$350.00 filing fee and a \$52.00 administrative fee.

Plaintiff consents to electronic service of documents. (ECF No. 4.) No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed without prejudice.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: January 5, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge